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U. S. Dept of State

Mr. ADAMS' DEFENCE

OF

GENERAL JACKSON'S CONDUCT

IN THE

SEMINOLE WAR.

Department of State,
Washington, 28th November, 1818

Sir:

Your despatches, to No. 92, inclusive, with their enclosures, have been received at this department. Among these enclosures are the several notes addressed to you by Mr. Pizarro, in relation to the transactions during the campaign of General Jackson against the Seminole Indians, and the banditti of Negroes combined with them, and particularly to his proceedings in Florida, without the boundaries of the United States.

In the 4th and last of those notes of Mr. Pizarro, he has given formal notice that the king, his master, has issued orders for the suspension of the negotiation between the United States and Spain, until satisfaction shall have been made by the American government to him for these proceedings of General Jackson, which he considers as acts of unequivocal hostility against him, and as outrages upon his honor and dignity; the only acceptable atonement for which, is stated to consist in a disavowal of the acts of the American general, thus complained of....the infliction upon him of a suitable punishment for his supposed misconduct, and the restitution of the posts and territories taken by him from the Spanish authorities, with indemnity for all the property taken, and all damages and injuries, public or private, sustained in consequence of it.

Within a very few days after this notification, Mr. Pizarro must have received, with copies of the correspondence between Mr. Onis and this department, the determination which had been taken by the President, to restore the place of Pensacola, with the fort of Barrancas, to any person properly authorized, on the part of Spain, to receive them, and the fort of St. Marks to any Spanish force adequate to its protection against the Indians, by whom its forcible occupation had been

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threatened, for purposes of hostility against the United States. The officer commanding at the post has been directed to consider 250 men as such adequate force; and in case of their appearance, with proper authority, to deliver it up to their commander accordingly.

From the last mentioned correspondence, the Spanish government must likewise have been satisfied that the occupation of these places in Spanish Florida, by the commander of the American forces, was not by virtue of any order received by him from this government to that effect, nor with any view of wresting the province from the possession of Spain, nor in any spirit of hostility to the Spanish government; that it arose from incidents which occurred in the prosecution of the war against the Indians ...from the imminent danger in which the fort of St. Marks was of being seized by the Indians themselves, and from the manifestations of hostility to the United States by the commandant of St. Marks and the governor of Pensacola, the proofs of which were made known to General Jackson, and impelled him, from the necessity of self-defence, to the steps of which the Spanish government complains.

It might be sufficient to leave the vindication of these measures upon those grounds, and to furnish in the enclosed copies of General Jackson's letters, and the vouchers by which they are supported, the evidence of that hostile spirit on the part of the Spanish commanders, but for the terms in which Mr. Pizarro speaks of the execution of two subjects of Great Britain, taken, one at the fort of St. Marks, and the other at Suwahnee, and the intimation that these transactions may lead to a change in the relations between the two nations, which is doubtless intended to be understood as a menace of war.

It may be, therefore, proper to remind the Government of his Catholic Majesty of the incidents in which this Seminole war originated, as well as of the circumstances connected with it, in the relations between Spain and her ally, whom she supposes to have been injured by the proceedings of General Jackson, and to give to the Spanish cabinet some precise information of the nature of the business, peculiarly interesting to Spain, in which these subjects of her allies, in whose favor she takes this interest, were engaged, when their projects of every kind were terminated, in consequence of their falling into the hands of General Jackson.

In the month of August, 1814, while a war existed between the United States and Great Britain, to which Spain had formerly declared herself neutral, a British force, not in the fresh pursuit of a defeated and flying enemy....not overstepping an imaginary and equivocal boundary between their own territories and those belonging, in some sort, as much to their enemy as to Spain, but approaching by sea, and by a broad and open *invasion* of a Spanish province, at a thousand miles, or an ocean's distance from any British territory, landed in Florida, took possession of Pensacola and the fort of Barrancas, and invited, by public proclamations, all the runaway Negroes....all the savage Indians ....all the pirates, and all the traitors to their country, whom they knew or imagined to exist within reach of their summons, to join their standard, and wage an exterminating war against the portion of the United States immediately bordering upon this neutral, and thus vio-

lated territory of Spain. The land commander of this British force, was a certain Col. Nicholls, who, driven from Pensacola by the approach of Gen. Jackson, actually left, to be blown up, the Spanish fort of Barrancas, when he found it could not afford him protection, and, evacuating that part of the province, landed at another, established himself on the Appalachicola river, and there erected a fort, from which to sally forth with his motley tribe of black, white, and red combatants, against the defenceless borders of the United States, in that vicinity. A part of this force consisted of a corps of Colonial Marines, levied in the British colonies, in which George Woodbine was a Captain, [II....2. and Robert Chrystie Ambrister was a Lieutenant.

As between the United States and Great Britain, we should be [LIX. willing to bury this transaction in the same grave of oblivion [LX. with other transactions of that war, had the hostilities of Col. Nicholls terminated with the war. But he did not consider the peace which ensued between the United States and Great Britain, as having put an end either to his military occupations, or to his negotiations with the Indians, against the United States. Several months after the ratification of the treaty of Ghent, he retained his post and his party-colored forces, in military array.

By the 9th article of that treaty, the United States had [II....2. stipulated to put an end, immediately after its ratification, to hostilities with all the tribes or nations of Indians with whom they might be at war at the time of the ratification, and to restore to them all the possessions which they had enjoyed in the year 1811. This article has no application to the Creek nation, with whom the United States had already made peace, by a treaty concluded on the 9th day of August, 1814, more than four months before the treaty of Ghent was signed. Yet Col. Nicholls not only affected to consider it as applying to the Seminoles of Florida, and the outlawed Red Sticks whom he had induced to join him there, but actually persuaded them that *they* were entitled, by virtue of the treaty of Ghent, to all the lands which had belonged to the Creek nation, within the United States, in the year 1811, and that the government of Great Britain [II....i. III. would support them in that pretension. He asserted also this doctrine in a correspondence with Col. Hawkins, then the agent of the United States with the Creeks, and gave him notice, in their name, with a mockery of solemnity, that they had concluded a treaty of alliance, offensive and defensive, and a treaty of navigation and commerce with Great Britain, of which more was to be heard after it should [IX. be ratified in England. Col. Nicholls then evacuated his fort, which, in some of the enclosed papers, is called the fort at Prospect Bluff, but which he had denominated the *British* post, on the Appalachicola; took with him the white portion of his force, and embarked for England, with several of the wretched savages whom he was thus deluding to their fate....among whom was the Prophet Francis, or Hillis Hadjo.... and left the fort amply supplied with military stores and ammu- [IV. V. nition, to the Negro department of his allies. It afterwards was known by the name of Negro fort. Col. Hawkins immediately communicated to this government the correspondence between him and Nicholls, here referred to, (copies of which, marked No. 1 to 5, are

herewith enclosed,) upon which Mr. Monroe, then Secretary of State, addressed a letter (copy marked G.) to Mr. Baker, the British Charge d'Affaires at Washington, complaining of Nicholls' conduct, and shewing that his pretence that the 9th article of the Treaty of Ghent could XI.] have any application to his Indians, was utterly destitute of foundation. Copies of the same correspondence were transmitted to the Minister of the United States, then in England, with instructions to remonstrate with the British government against these proceedings of Nicholls, and to shew how incompatible they were with the peace which XII. a. b.] had been concluded between the two nations. These re- XIII. a. b.] monstrances were accordingly made, first in personal interview with Earl Bathurst and Lord Castlereagh, and afterwards in written notes, addressed successively to them, (copies of which, together with extracts from the despatches of the American Minister to the Secretary of State, reporting what passed at those interviews, are enclosed.) Lord Bathurst, in the most unequivocal manner, confirmed the facts, and disavowed the misconduct of Nicholls; declared his disapprobation of the pretended treaty of alliance, offensive and defensive, which he had made; assured the American Minister that the British Government had refused to ratify that treaty, and would send back the Indians whom Nicholls had brought with him, with advice to make their peace on such terms as they could obtain. Lord Castlereagh confirmed the assurance that the treaty would not be ratified; and if, at the same time that these assurances were given, certain distinctions of public notoriety were shown to the Prophet Hillis Hadjo, and he was actually honored with a commission, as a British officer, it is to be presumed that these favors were granted him as rewards of past services, and not as encouragement to expect any support from Great Britain in a continuance of savage hostilities against the United States, all intention of giving any such support having been repeatedly and earnestly disavowed.

The Negro fort, however, abandoned by Col. Nicholls, remained on the Spanish territory, occupied by the banditti to whom he had left it, and held by them as a post, from whence to commit depredations, XIV.] outrages, and murders, and as a receptacle for fugitive slaves and malefactors, to the great annoyance both of the United States and of Spanish Florida. In April, 1816, Gen. Jackson wrote a letter to the Governor of Pensacola, calling upon him to put down this common XV.] nuisance to the inhabitants of both countries. That letter, together with the answer of the Governor of Pensacola, have already been communicated to the Spanish Minister here, and by him, doubtless, to his government. Copies of them are, nevertheless, now again XXIII.] enclosed; particularly as the letter from the Governor explicitly admits, that this fort, constructed by Nicholls, in violation both of the territory and neutrality of Spain, was still no less obnoxious to his goverment than to the United States; but, that he had neither sufficient force, nor an authority, without orders from the Govenor General of the Havana, to destroy it. It was afterwards, on the 27th July, 1816, destroyed by a cannon shot from a gun vessel of the United States, which, in its passage up the river, was fired upon by it. It was blown up, with an English flag still flying as its standard, and immediately

after the barbarous murder of a boat's crew, belonging to the Navy of the United States, by the banditti left in it by Nicholls.

In the year 1817, Alexander Arbuthnot, of the Island of New Providence, a British subject, first appeared, as an Indian trader, in Spanish Florida, and as the successor of Col. Nicholls, in the employment of instigating the Seminole and outlawed Red Stick Indians to hostilities against the United States, by reviving the pretence that they were entitled to all the lands which had been ceded by the Creek nation to the United States, in August, 1814. As a mere Indian trader, the intrusion of this man, into a Spanish province, was contrary to the policy observed by all the European powers in this hemisphere, and by none more rigorously than by Spain, of excluding all foreigners from intercourse with the Indians, within their territories. It must be known to the Spanish government, whether Arbuthnot had a Spanish license for trading with the Indians in Spanish Florida or not; but they also know that Spain was bound by treaty, to restrain by force all hostilities on the part of those Indians, against the citizens of the United States; and it is for them to explain how consistently with those engagements, Spain could, contrary to all the maxims of her ordinary policy, grant such a license to a foreign incendiary, whose principles, if not his only object, appears to have been to stimulate those hostilities which Spain had so expressly stipulated by force to restrain. In his infer- [XLIX.
nal instigation he was but too successful. No sooner did he make his appearance among the Indians, accompanied by the Prophet Hillis [L.
Hadjo, returned from his expedition to England, than the peaceful inhabitants on the borders of the United States, were visited with all the horrors of savage war, the robbery of their property, and the barbarous and indiscriminate murder of women, infancy and age.

After the repeated expostulations, warnings, and offers of a peace, through the summer and autumn of 1817, on the part of the United States, had been answered only by renewed outrages, and after [LI. a,
a detachment of forty men, under Lieut. Scott, accompanied [LXI.
by seven women, had been waylaid and murdered by the Indians, orders were given to General Jackson, and an adequate force was placed at his disposal, to terminate the war. It was ascertained that the Spanish force in Florida was inadequate for the protection even of the Spanish territory itself, against this mingled horde of lawless Indians and Negroes; and, although their devastations were committed within the United States, they immediately sought refuge within the Florida line, and there only were to be overtaken. The necessity of crossing the line was indispensable; for it was from beyond the line that the Indians made their murderous incursions within that of the United States. It was there that they had their abode, and the territory belonged, in fact, to them, although within the borders of the Spanish jurisdiction. There it was that the American commander met the principal resistance from them: there it was, that were [XXXVIII.
found the still bleeding scalps of our citizens, freshly butchered by them; there it was that he released the only *woman* who had been suffered to survive the massacre of the party under Lieut. Scott. But it was not anticipated by this government that the commanding officers of Spain, in Florida, whose especial duty it was, in conformity to the

solemn engagements contracted by their nation, to restrain by force, those Indians from hostilities against the United States, would be found encouraging, aiding, and abetting them, and furnishing them with supplies for carrying on such hostilities. The officer in command, immediately before General Jackson, was, therefore, specially instructed to respect, as far as possible, the Spanish authority wherever it was maintained, and copies of those orders were also furnished to General Jackson upon his taking the command. In the course of his pursuit, as he approached St. Marks, he was informed, direct from the Governor of Pensacola, that a party of the hostile Indians had threatened to seize that fort, and that he apprehended the Spanish garrison there was not in strength sufficient to defend it against them. This information was confirmed from other sources; and by the evidence produced upon the trial of Ambrister, it proved to have been exactly true. By all the laws of neutrality and of war, as well as of prudence and humanity, he was warranted in anticipating his enemy, by the amicable, and that being refused, by the forcible occupation of the fort. There will be no need of citations from printed treatises on international law, to prove the correctness of this principle. It is engraved in adamant on the common sense of mankind; no writer upon the laws of nations ever pretended to contradict it; none of any reputation or authority ever omitted to assert it.

XXXIV.] At fort St. Marks, Alexander Arbuthnot, the British Indian trader from beyond the seas, the firebrand, by whose torch this Negro Indian war against our borders had been rekindled, was found an inmate of the commandant's family; and it was also found that, by the commandant himself, councils of war had been permitted to be held within it by the savage chiefs and warriors; that the Spanish storehouses had been appropriated to their use, that it was an open market for cattle, known to have been robbed by them from citizens of the United States, and which had been contracted for, and purchased by the officers of the garrison. That information had been afforded, from this fort by Arbuthnot, to the enemy, of the strength and movements of the American army; that the date of the departure of express had been noted by the Spanish commissary, and ammunition, munitions of war, and all necessary supplies furnished to the Indians.

The conduct of the Governor of Pensacola was not less marked by a disposition of enmity to the United States and by an utter disregard to the obligations of the treaty, by which he was bound to restrain, by force, the Indians from hostilities against them. When called upon to vindicate the territorial rights and authority of Spain, by the destruction of the Negro fort, his predecessor had declared it to be not less annoying and pernicious to the Spanish subjects in Florida, than to the United States; but had pleaded his inability to subdue it. He, himself, had expressed his apprehensions that Fort St. Marks would be forcibly taken by the savages, from its Spanish garrison: yet, at the same time, he had refused the passage up the Escambia river, unless upon the payment of excessive duties, to provisions destined as supplies for the American army, which, by the detention of them, was subjected to the most distressing privations. He had permitted free ingress and egress at Pensacola to the avowed savage enemies of the

United States. Supplies of ammunition, munitions of war, and provisions had been received by them from thence. They had been received and sheltered there, from the pursuit of the American forces, and suffered again to sally thence, to enter upon the American territory and commit new murders. Finally, on the approach of General Jackson to Pensacola, the Governor sent him a letter, de- [XXXIII. nouncing his entry upon the territory of Florida, as a violent outrage upon the rights of Spain, commanding him to depart and withdraw from the same, and threatening in case of his non-compliance, to employ force to expel him.

It became, therefore, in the opinion of General Jackson, indispensably necessary to take from the Governor of Pensacola the means [LIV. of carrying his threat into execution. Before the forces under his command, the savage enemies of his country had disappeared. But he knew that the moment those forces should be disbanded, if sheltered by Spanish fortresses, if furnished with ammunition and supplies by Spanish officers, and if aided and supported by the instigation of Spanish encouragement, as he had every reason to expect these would be, they would re-appear; and fired, in addition to their ordinary ferociousness, with revenge for the chastisement they had so recently received, would again rush with the war hatchet and scalping knife, into the borders of the United States, and mark every foot-step with the blood of their defenceless citizens. So far as all the native resources of the savages extended, the war was at an end, and General Jackson was about to restore to their families and their homes, the brave volunteers who had followed his standard, and who had constituted the principal part of his force. This could be done with safety, leaving the regular portion of his troops to garrison his line of forts, and two small detachments of volunteer cavalry, to scour the country round Pensacola, and sweep off the lurking remnant of savages who had been scattered and dispersed before him. This was sufficient to keep in check the remnant of the banditti, against whom he had marched, so long as they should be destitute of other aid and support. It was, in his judgment, not sufficient, if they should be suffered to rally their numbers under the protection of Spanish forts, and to derive new strength from the importance or the ill will against the United States of the Spanish authorities.

He took possession, therefore, of Pensacola, and of the fort of Barrancas, as he had done at St. Marks, not in spirit of hostility to Spain, but as a necessary measure of self defence; giving notice that they should be restored whenever Spain should place commanders and a force there, able and willing to fulfil the engagements of Spain towards the United States, of restraining, by force, the Florida Indians from hostilities against their citizens.

The President of the United States, to give a signal manifestation of his confidence in the disposition of the King of Spain, to perform with good faith this indispensable engagement, and to demonstrate to the world, that neither the desire of conquest, nor hostility to Spain, had any influence in the councils of the United States, has directed the unconditional restoration to any Spanish officer, duly authorized to receive them, of Pensacola and the Barrancas, and that of St. Marks

to any Spanish force adequate for its defence against the attack of the savages. But the President will neither inflict punishment, nor pass a *censure* upon General Jackson for that conduct, the motives for which were founded in the purest patriotism, of the necessity for which he had the most immediate and effectual means of forming a judgment, and the vindication of which is written in every page of the law of nations, as well as in the first law of nature....self-defence. He thinks it, on the contrary, due to the justice which the United States have a right to claim from Spain, and you are accordingly instructed to demand of the Spanish government, that inquiry shall be instituted into the conduct of Don Jose Masot, Governor of Pensacola, and of Don Francisco C. Luengo, commandant of St. Marks, and a suitable punishment inflicted upon them for having, in defiance and violation of the engagement of Spain with the United States, aided and assisted these hordes of savages, in those very hostilities against the United States, which it was their official duty to restrain. This inquiry is due to the character of those officers themselves, and to the honor of the Spanish government. The obligation of Spain to restrain, by force, the Indians of Florida from hostilities against the United States and their citizens, is explicit, is positive, is unqualified. The fact, that for a series of years they have received shelter, assistance, supplies and protection, in the practice of such hostilities from the Spanish XXXII] commanders in Florida, is clear and unequivocal. If, as the XLII.] commanders, both at Pensacola and St. Marks have alleged, this has been the result of their weakness, rather than their will, if they have assisted the Indians against the United States to avert their hostilities from the province, which they had not sufficient force to defend against them, it may serve, in some measure, to exculpate, individually, those officers, but it must carry demonstration irresistible to the Spanish government, that the right of the United States can as little compound with impotence as with perfidy, and that Spain must immediately make her election, either to place a force in Florida, adequate to the protection of her territory, and to the fulfilment of her engagement, or cede to the United States a province, of which she retains nothing but the nominal possession; but which is, in fact, a derelict open to the occupancy of every enemy, civilized or savage, of the United States, and serving no other earthly purpose than as a post of annoyance to them.

That the purposes, as well of the Negro Indian banditti, with whom we have been contending, as of the British invaders of Florida, who first assembled and employed them, and of the British intruding and pretending traders, since the peace, who have instigated and betrayed them to destruction, have been not less hostile to Spain than to the United States, the proofs contained in the documents herewith enclosed, are conclusive. Mr. Pizarro's note, of the 29th August, speaks of his Catholic Majesty's profound indignation at the "sanguinary executions on the Spanish soil, of the subjects of powers in amity with the King"....meaning Arbuthnot and Ambrister. Let Mr. Pizarro's successor take the trouble of reading the enclosed documents, and he will discover who Arbuthnot and Ambrister were, and what were their purposes: That Arbuthnot was only the successor of Nicholls, and Ambrister the agent of Woodbine, and the subaltern of M'Gregor.

Mr. Pizarro qualifies General Jackson's necessary pursuits of a savage enemy beyond the Spanish Florida line, as a *shameful invasion of his Majesty's territory*....yet, that territory was the territory also of the savage enemy, and Spain was bound to restrain them, by force, from hostilities against the United States....and it was the failure of Spain to fulfil this engagement, which had made it necessary for General Jackson to pursue the savages across the line. What, then, was the character of Nicholls' invasion of his Majesty's territory; and where was his Majesty's profound indignation at that? Mr. Pizarro says, his Majesty's places and forts have been violently seized on by General Jackson. Had they not been seized on....nay, had not the principal of his forts been blown up by Nicholls, and a British fort on the same Spanish territory been erected during the war, and left standing as a Negro fort in defiance of Spanish authority, after the peace? Where was his Majesty's profound indignation at that? Has his Majesty suspended formally all negotiation with the sovereign of Col. Nicholls, for the shameful invasion of his territory without color of provocation, without pretence of necessity, without the shadow or even avowal of a pretext? Has his Majesty given solemn warning to the British government, that these were incidents "of transcendant moment, capable of producing an essential and thorough change in the political relations of the two countries?" Nicholls and Woodbine, in their invitations and promises to the slaves to runaway from their masters and join them, did not confine themselves to the slaves of the United States....they received with as hearty a welcome, and employed with equal readiness, the fugitives from their masters in Florida, as [XXV. those from Georgia. Against this special injury the Governor of Pensacola did earnestly remonstrate with the British admiral Cockburn, but against the *shameful invasion* of the territory....against the violent seizure of the forts and places... against the blowing up of the Barrancas, and the erection and maintenance under British banners, of the Negro fort on Spanish soil....against the negotiation by a British officer in the midst of peace of pretended treaties, offensive and defensive, and of navigation and commerce, upon Spanish territory, between Great Britain and Spanish Indians, whom Spain was bound to control and restrain....if a whisper of expostulation was ever wafted from Madrid to London, it was not loud enough to be heard across the Atlantic, nor energetic enough to transpire beyond the walls of the palaces from which it issued, and to which it was borne.

The connexion between Arbuthnot and Nicholls, and between Ambrister and M'Gregor, is established beyond all question, by the evidence produced at the trials before the court martial. I have already remarked to you on the very extraordinary circumstance, that a British trader from beyond the seas, should be permitted by the Spanish authorities, to trade with the Indians of Florida. From his letter to Hambly, dated 3d March, 1817, it appears that his trading was but a pretence, and that his principal purpose was to act as the agent of the Indians in Florida, and outlaws from the Creeks, to obtain the aid of the British Government in their hostilities against the United States. He expressly tells Hambly there, that the chief of those outlaws was the principal cause of his, Arbuthnot's, being in the country; and that he had come

with an answer from Earl Bathurst, delivered to him by Gov. Cameron, of New Providence, to certain Indian talks, in which this aid of the British Government had been left by Nicholls, as the agent between the Indians and the British Government; but having found that Nicholls had failed in his attempt to prevail upon the British Government to pursue this clandestine war, in the midst of peace, and that they were not prepared to support his pretence, that half a dozen outlawed fugitives from the Creeks were the Creek nation; when Arbuthnot, the incendiary, came, and was instigating them, by promises of support from Great [XI. VII. b.] Britain, to commence their murderous incursions into the United States, Hambly, at the request of the Creeks themselves, wrote to him to withdraw from among that band of outlaws, and giving him solemn forboding of the doom that awaited him, from the hand of justice, if he persevered in the course that he pursued. Arbuthnot, nevertheless, persisted; and while he was deluding the wretched Indians [XLIX.] with promises of support from England, he was writing letters
b. for them to the minister in the United States, to Governor
c. Cameron, of New Providence, to Col. Nicholls, to be laid
d. before the British government, and even to the Spanish go-
e. vernor at St. Augustine, and the Governor-general of the
f. Havana, soliciting, in all quarters, aid and support, arms and ammunition for the Indians, against the United States; bewailing the the destruction of the Negro fort, and charging the British government with having drawn the Indians into war with the United States, and deserting them after the peace.

You will remark among the papers produced on his trial, a power of [XLIX. No. 1.] attorney, dated 17th June, 1817, given him by twelve Indians, partly of Florida and partly of the fugitive outlaws from the United States. He states that this power, and his instructions, were to memorialize the British government, and the Governor-general of the Havana. These papers are not only substantially proved as of his hand writing, on the trial, but in the daily newspapers of London of the 24th and 25th of August last, his letter to Nicholls is published, (somewhat garbled) with a copy of Hambly's above mentioned letter to him, *approved by the Commandant of St. Marks, F. C. Luengo.* Another of the papers is a letter, written in the name of the same chiefs, by Arbuthnot, to the Governor-general of the Havana, asking of him permission for Arbuthnot to establish a ware-house on the Appalachicola, bitterly and falsely complaining that the Americans had made settlements on their lands, within the Spanish lines, and calling upon the Governor General to give orders to displace them, and send them back to their country. In this letter they assign, as a reason for asking this license for Arbuthnot, the want of a person to put in writing for them their talks of greivances against the Americans. And, they add, "the commander of the fort of St. Marks has heard all of our talks and complaints. He approves of what we have done and what we are doing; and it is by his recommendation we have thus presumed to address your excellency." You will find these papers in the printed news-papers enclosed, and in the proceedings of the court martial, and will point them out to the Span-

[Compare XLIX. a. and XLIX. b.] [XLVII. c.] [Compare XLVII. c. and XLIX. No. 1.] [LVII.]

ish government, not only as decisive proofs of the unexampled compliances of the Spanish officers in Florida, to foreign intrusive agents and instigators of Indian hostilities against the United States, but as placing beyond a doubt, that participation of this hostile spirit in the commandant of St. Marks, which General Jackson so justly complains of, and of which we have so well founded a right to demand the punishment. Here is the Commandant of a Spanish fort, bound by a sacred engagement of a treaty to restrain, by force, the Indians within his command from committing hostilities against the United States, conspiring with those same Indians, and deliberately giving his written approbation to their appointment of a foreigner, a British subject, as their agent, to solicit assistance and supplies from the Governor General of Havana, and from the British government, for carrying on these same hostilities.

Let us come to the case of Ambrister....He was taken in arms; leading and commanding the Indians, in the war against the American troops; and to that charge, upon his trial, pleading guilty. But the primary object of his coming there, was still more hostile to [LVIII. Spain, than to the United States. You find that he told three of the witnesses, who testified at his trial, that he had come to this country upon Mr. Woodbine's business at Tampa Bay....to see the Negroes righted; and one of them that *he had a commission in the patriot army under M'Gregor;* and that he had expected a captaincy. And what was the intended business of M'Gregor and Woodbine at Tampa Bay? It was the conquest of Florida from Spain, by the use of those very Indians and Negroes, whom the commandant of St. Marks was so ready to aid and support in the war against the United States. The chain of proof that establishes this fact, is contained in the documents communicated by the President to Congress at their last session, re- [LVI. lating to the occupation of the Amelia Island by M'Gregor. From these documents you will find, that while M'Gregor was there, Woodbine went from New Providence, in a schooner of his own to join him: That he arrived at Amelia Island just as M'Gregor, abandoned by the companions of his achievement there, was leaving it: That M'Gregor quitted the vessel in which he had embarked at Amelia, went on board that of Woodbine, and returned with him to New Providence: That Woodbine had persuaded him they could yet accomplish the conquest of Florida, with soldiers to be recruited at Nassau, from the corps of colonial marines, which had served under Nicholls, during the late war with the United States, which corps had been lately disbanded; and with Negroes to be found at Tampa Bay, and 1500 Indians, already then engaged to Woodbine, who pretended that they [LVII. a, b. had made a grant of all their lands there to him.

Among the papers, the originals of which are in our possession, in M'Gregors' own hand writing, instructions for sailing into Tampa Bay, with the assertion that he calculated to be there by the last of April [d. or first of May, of the present year; a letter dated 27th December last, to one of his acquaintance in this country, disclosing the same in- [e. tention; and the extract of a proclamation which was to have been issued at Tampa Bay, to the inhabitants of Florida, by the person charged with making the settlement there, before his arrival, announcing

his approach, for the purpose of liberating them from the despotism of Spain, and of enabling them to form a government for themselves. He has persuaded those who would listen to him here, that his ultimate object was to sell the Floridas to the United States. There is some reason to suppose that he had made indirect overture, of a similar nature, to the British government. This was Ambrister's business in Florida. He arrived there in March, the precursor of M'Gregor and XLIX.] Woodbine, and, immediately upon his arrival, he is found seizing upon Arbuthnot's goods, and distributing them among the Negroes and Indians; seizing upon his vessel, and compelling its master to pilot him, with a body of armed Negroes, towards the fort of St. Marks, with the declared purpose of taking it by surprize, in the night. Writing letters to Governor Cameron, of New Providence, urgently calling for supplies of munitions of war, and of cannon for the war against the Americans; and letters to Col. Nicholls, renewing the same demands of supplies, informing him, that he is with 300 Negroes, "a few of our Bluff people," who had *stuck to the cause*, and were relying upon the faith of Nicholls' promises. Our Bluff people were the people of the Negro fort, collected by Nicholls' and Woodbine's proclamations, during the American and English war, and the *cause* to which they stuck was the savage, servile, exterminating war against the United States.

Among the agents and actors of such virtuous enterprizes as are here unveiled, it was hardly expected that there would be found remarkable evidences of their respect, confidence and good faith towards one another. Accordingly, besides the violent seizure and distribution by Ambrister, of Arbuthnot's property, his letters to Governor Cameron and to Nicholls are filled with the distrust and suspicions of the Indians, that they were deceived and betrayed by Arbuthnot; while in XLIX. f.] Arbuthnot's letters to the same Nicholls, he accused Woodbine of having taken charge of poor Francis the prophet, or Hillis Hadjo, upon his return from England to New Providence, and under pretence of taking care of him and his affairs....of having defrauded him of a large portion of the presents which had been delivered out from the King's stores to him, for Francis' use. This is one of the XLVII. a.] passages of Arbuthnot's letter to Nicholls, *omitted* in the publication of it last August, in the London newspapers.

Is this narrative of dark and complicated depravity, this creeping and insidious war, both against Spain and the United States, this mockery of patriotism, these political philters to fugitive slaves and Indian outlaws; these perfidities and treacheries of villains incapable of keeping their faith even to each other, all in the name of South American Liberty, of the rights of runaway negroes, and the wrongs of savage murderers. ..all combined and projected to plunder Spain of her provinces, and to spread massacre and devastation along the borders of the United States? Is all this sufficient to cool the sympathies of his Catholic Majesty's government, excited by the execution of these two "subjects of a power in amity with the king!" The Spanish government is not this day to be informed that, cruel as war in its mildest forms, must be, it is, and necessarily must be doubly cruel, when waged with savages: that savages make no prisoners, but to torture them; that

they give no quarter; that they put to death without discrimination of age or sex; that these ordinary characteristics of Indian warfare have been applicable, in their most heart sickening horrors, to that war, left us by Nicholls, as his legacy, reinstigated by Woodbine, Arbuthnot and Ambrister, and stimulated by the approbation, encouragement, and the aid of the Spanish commandant at St. Marks. Is proof required? Intreat the Spanish Minister of State, for a moment, to overcome the feelings which details like these must excite, and to reflect, if possible with composure, upon the facts stated in the following extracts from documents enclosed.

Letter from sailing master Jairus Loomis to commodore Daniel T. Patterson, 13th August, 1816, reporting the destruction of [XXIII. the Negro fort.

On examining the prisoners, they stated that Edward Daniels, O. S. who was made prisoner in the boat, on the 17th July, "*was tarred and buried alive.*"

Letter from Archibald Clarke to Gen. Gaines, 26th February, 1817, (Message of the President of the United States to Congress, 25th March, 1817, p. 9.)

"On the 24th inst. the house of Mr. Garret, residing in the upper part of this county, near the boundary of Wayne county, (Georgia,) was attacked, during his absence, near the middle of the day, by this party, (of Indians,) consisting of about fifteen, who shot Mrs. Garret in two places, and then despatched her by stabbing and scalping. Her two children, one about three years, and the other two months old, were also murdered, and the eldest scalped; the house was then plundered of every article of value, and set on fire."

Letter from Peter B. Cook, (Arbuthnot's clerk,) to Eliza A. [LXI. Carney, at Nassau, dated Suwahnee, 15th January, 1818, giving an account of their operations with the Indians against the Americans, and their massacre of Lieut. Scott and his party.

"There was a boat that was taken by the Indians, that had in it thirty men, seven women, and four small children. There were six of the men got clear, and one of the women saved, and all the rest of them got killed. The children were took by the leg, and their brains dashed out against the boat."

If the bare recital of scenes like these cannot be perused without shuddering, what must be the agonized feelings of those whose wives and children are, from day to day, and from night to night, exposed to be the victims of the same barbarity! Has mercy a voice to plead for the perpetrators and instigators of deeds like these? Should inquiry hereafter be made, why, within three months after this event, the savage Hamathli Micco, upon being taken by the American troops, was, by order of their commander immediately hung, let it be told that that savage was the commander of the party by which those women were butchered, and those helpless infants were thus dashed against the boat. Contending with such enemies, although humanity revolts at entire retaliation upon them, and spares the lives of their feeble and defenceless women and children, yet mercy herself surrenders to retributive justice the lives of their leading warriors taken in arms....and still more the lives of the foreign, white incendiaries; who, disowned

by their own governments, and disowning their own natures, degrade themselves beneath the savage character by voluntarily descending to its level. Is not this the dictate of common sense? Is it not the usage of legitimate warfare? Is it not consonant to the soundest authorities of national war? "When at war, (says Vattel,) with a ferocious nation, which observes no rule and grants no quarter, they may be chastised in the persons of those of them who may be taken; they are of the number of the guilty; and by this rigor the attempt may be made of bringing them to a sense of the laws of humanity." And again: "As a General has the right of sacrificing the lives of his enemies to his own safety or that of his people, if he has to contend with an inhuman enemy, often guilty of such excesses, he may take the lives of some of his prisoners, and treat them as his own people have been treated." The justification of these principles is found in their salutary efficiency, for terror and for example. It is thus only that the barbarities of Indians can be successfully encountered. It is thus only that the worse than Indian barbarities of European imposters, pretending authority from their governments, but always disavowed, can be punished and arrested. Great Britain yet engages the alliance and co-operation of savages in war. But her government has invariably disclaimed all countenance or authorization to her subjects to instigate them against us in time of peace. Yet so it has happened, that from the period of our established independence to this day, *all* the Indian wars with which we have been afflicted, have been distinctly traceable to the instigation of English traders or agents, always disavowed, yet always felt, more than once detected, but never before punished. Two of them, offenders of the deepest dye, after solemn warning to their government, and individually to one of them, have fallen *flagrante delicto*, into the hands of an American General; and the punishment inflicted upon them has fixed them on high as an example, awful in its exhibition, but we trust, auspicious in its results, of that which awaits unauthorized pretenders of European agency, to stimulate, and interpose in wars between the United States and the Indians, within their control.

This exposition of the origin, the causes and the character of the war with the Seminole Indians and part of the Creeks, combined with M'Gregor's mock patriots and Nicholls' Negroes, which necessarily led our troops into Florida, and gave rise to all those incidents of which Mr. Pizarro so vehemently complains, will, it is hoped, enable you to present other and sounder views of the subject to his Catholic Majesty's government. It will enable you to show that the occupation of Pensacola and St. Marks was occasioned neither by a spirit of hostility to Spain, nor with a view to extort, prematurely, the province from her possession, that it was rendered necessary by the neglect of Spain to perform her engagements of restraining the Indians from hostilities against the United States, and by the culpable countenance, encouragement and assistance given to those Indians in their hostilities, by the Spanish Governor and Commandant at those places. That the United States has a right to demand, as the President does demand, of Spain the punishment of those officers for this misconduct; and he further demands of Spain, a just and reasonable indemnity to the United States for the heavy and necessary expenses which they

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have been compelled to incur, by the failure of Spain to perform her engagements, to restrain the Indians, aggravated by this demonstrated complicity of her commanding officers with them, in their hostilities against the United States: That the two Englishmen executed by order of General Jackson were not only identified with the savages, with whom they were carrying on the war against the United States, but that one of them was the mover and fomentor of the war, which, without his interference and false promises to the Indians of support from the British government, never would have happened....that the other was the instrument of war against Spain as well as the United States, commissioned by M'Gregor, and expedited by Woodbine, upon their project of conquering Florida with these Indians and Negroes. That, as accomplices of the savages, and sinning against their better knowledge, worse than savages, General Jackson, possessed of their persons and the proofs of their guilt, might, by the lawful and ordinary usages of war, have hung them both without the formality of a trial: That to allow them every possible opportunity of refuting the proofs, or showing any circumstances in extenuation of their crimes, he gave them the benefit of a court martial, of highly respectable officers: That the defence of one consisted, solely and exclusively of technical cavils at the nature of part of the evidence against him, and the other confessed his guilt.

Finally, that in restoring Pensacola and St. Marks to Spain, the President gives the most signal proof of his confidence, that hereafter her engagement to restrain, by force, the Indians of Florida from all hostilities against the United States, will be effectually fulfilled; that there will be no more murders, no more robberies within our borders, by savages prowling along the Spanish line, and seeking shelter within it, to display in their villages the scalps of our women and children, their victims, and to sell, with shameless effrontry, the plunder from our citizens in Spanish forts and cities; that we will hear no more apologies from Spanish governors and commandants; of their inability to perform the duties of their office and the solemn contracts of their country....no more excuses for compliances to the savage enemies of the United States from the dread of their attacks upon themselves....no more harboring of foreign imposters, upon conclusion that a strength sufficient will be kept in the province to restrain the Indians by force, and officers empowered and instructed to employ it effectually to maintain the good faith of the nation, by the effective fulfilment of the treaty. The duty of this government to protect the persons and property of our fellow citizens, on the borders of the United States, is imperative....it *must* be discharged...and if, after all the warning which Spain has had ....if, after the prostration of all her territorial rights and neutral obligations, by Nicholls and his banditti, during the war, and of all her treaty stipulations, by Arbuthnot and Ambrister, abetted by her own commanding officers, during peace, to the cruel annoyance of the United States....if the necessities of self defence should again compel the United States to take possession of the Spanish forts and places in Florida, declare, with the candor and frankness that becomes us, that another unconditional restoration of them must not be expected; that even the President's confidence in the good faith and ultimate justice of the

Spanish Government will yield to the painful experience of continua disappointment; and that, after unwearied and almost unnumbere appeals to them, for the performance of their stipulated duties, in vain the United States will be reluctantly compelled to rely for the protec tion of their borders, upon themselves alone.

You are authorized to communicate the whole of this letter, and th accompanying documents, to the Spanish Government.

I have the honor, &c.

JOHN QUINCY ADAMS.

The numeral letters and figures in the margin of the above letter re fer to documents contained in the appendix, which has been published.

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